

REMARKS

This responds to the Office Action mailed on December 5, 2006. Claims 10 and 26 are amended, claims 1-9, 11, 15-25 are canceled, and claim 31 is added; as a result, claims 10, 12-14 and 26-31 are now pending in this application.

Specification

The Office objected to the Abstract because of the extra text at the bottom of the page. Applicant has amended the page to remove the extra text. Accordingly, Applicant respectfully requests that the objection be withdrawn.

The Office objected to the specification as not including a “Summary of the Invention” section and required Applicant to amend the patent application to include such a section. Applicant hereby respectfully traverses the objection and kindly points out to the Examiner that a “Summary of the Invention” section is optional since neither the rules nor the patent statute requires a patent applicant to provide such summary. As discussed in 37 CFR 1.73:

A brief summary of the invention indicating its nature and substance, which may include a statement of the object of the invention, should precede the detailed description. Such summary should, when set forth, be commensurate with the invention as claimed and any object recited should be that of the invention as claimed [emphasis added]. 37 CFR 1.73.

Thus, Applicant respectfully points out that the use of the word “should” and the phrase “when set forth” indicates that inclusion of a “Summary of the Invention” section is optional rather than mandatory. As a result, it is believed there is no legal basis upon which to require a patent applicant to provide a “Summary of the Invention” section in a patent application or to require an applicant to amend the patent application to include such a summary. Therefore, the objection and any requirement related thereto should be withdrawn.

Double Patenting Rejection

Claims 19-25 were rejected under the judicially created doctrine of double patenting over claims 19-21 and 23-25 of U.S. Patent No. 6,732,260. Applicant has canceled claims 19-25. Accordingly, such double patenting rejection is now moot.

§101 Rejection of the Claims

Claims 1-18 and 26-30 were rejected under 35 USC § 101 as being the same invention as claims 1-18 and 26-30 from U.S. 6,732,260. Applicant has canceled claims 1-9 and 15-18. Accordingly, the rejection of claims 1-9 and 15-18 under 35 USC § 101 is now moot. Applicant has amended claims 10-14 and 26-30. In light of such amendments, Applicant respectfully submits that the rejection of claims 10-14 and 26-30 under 35 USC § 101 is overcome.

§103 Rejection of the Claims

Claims 19 and 21-24 were rejected under 35 USC § 103(a) as being unpatentable over Jaggar (U.S. 5,506,976) in view of Yeh et al. (U.S. 5,742,804). Claim 20 was rejected under 35 USC § 103(a) as being unpatentable over Jaggar (U.S. 5,506,976) in view of Yeh et al. (U.S. 5,742,804) as applied to claims 19 and 26 above, and further in view of Papadopoulos (U.S. 5,412,799). Claim 25 was rejected under 35 USC § 103(a) as being unpatentable over Jaggar (U.S. 5,506,976) in view of Yeh et al. (U.S. 5,742,804) as applied to claim 23 above, and further in view of Microsoft Computer Dictionary Fourth Edition by Microsoft Corporation.

Applicant has canceled claims 19-25. Accordingly, the rejection of claims 19-25 under 35 USC § 103 is now moot.

New Claims

Applicant has added new claim 31. Applicant respectfully submits that no new matter has been added.

Reservation of Rights

In the interest of clarity and brevity, Applicant may not have addressed every assertion made in the Office Action. Applicant's silence regarding any such assertion does not constitute any admission or acquiescence. Applicant reserves all rights not exercised in connection with this response, such as the right to challenge or rebut any tacit or explicit characterization of any reference or of any of the present claims, the right to challenge or rebut any asserted factual or legal basis of any of the rejections, the right to swear behind any cited reference such as provided under 37 C.F.R. § 1.131 or otherwise, or the right to assert co-ownership of any cited reference. Applicant does not admit that any of the cited references or any other references of record are relevant to the present claims, or that they constitute prior art. To the extent that any rejection or assertion is based upon the Examiner's personal knowledge, rather than any objective evidence of record as manifested by a cited prior art reference, Applicant timely objects to such reliance on Official Notice, and reserves all rights to request that the Examiner provide a reference or affidavit in support of such assertion, as required by MPEP § 2144.03. Applicant reserves all rights to pursue any cancelled claims in a subsequent patent application claiming the benefit of priority of the present patent application, and to request rejoinder of any withdrawn claim, as required by MPEP § 821.04.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney ((612) 371-2103) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,


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6-5-07

By


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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 5th day of June 2007.

Name

Amy Moriarty

Signature

